

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ADAM BAKER, as Personal Representative to the
Estate of ZACHARY BARELA,

Plaintiff,

v.

No. 2:22-cv-152 GJF/KRS

CORIZON HEALTH, INC., et al.,

Defendants.

SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on May 24, 2022. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan, with slight modifications, as reflected in the dates below

Accordingly, **IT IS HEREBY ORDERED** that the parties shall adhere to the following discovery plan:

- (a) Maximum of twenty-five (25) interrogatories by Plaintiff to each Defendant and twenty-five (25) by Corizon to Plaintiff, with responses due thirty (30) days after service.
- (b) Maximum of twenty-five (25) requests for production by Plaintiff to each Defendant and twenty-five (25) by Corizon to Plaintiff, with responses due thirty (30) days after service.
- (c) Maximum of ten (10) requests for admission by Plaintiff to each Defendant and ten (10) by Corizon to Plaintiff, with responses due thirty (30) days after service.

(d) Maximum of ten (10) depositions by Plaintiff and ten (10) by Corizon. Each deposition limited pursuant to the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

- (a) Deadline for Plaintiff to amend pleadings and join additional parties pursuant to Federal Rule of Civil Procedure 15: **June 23, 2022;**
- (b) Deadline for Defendant to amend pleadings and join additional parties pursuant to Federal Rule of Civil Procedure 15: **July 25, 2022;**
- (c) Deadline for Plaintiff's expert reports: **September 26, 2022;**
- (d) Deadline for Defendants' expert reports: **October 26, 2022;**
- (e) Termination of discovery: **November 21, 2022;**
- (f) Deadline for supplementing discovery/disclosures: Due as required by the Federal Rules of Civil Procedure;
- (g) Motions relating to discovery: **December 12, 2022;**
- (h) All other motions:¹ **December 22, 2022;**
- (i) Pretrial order deadlines to be set by the presiding judge.

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition made during the deposition in question. Requests by a party to change the timing or scope of discovery, other than a mutual agreement to extend a deposition reached during the deposition, must be made by motion and before the termination of discovery or the expiration of any

¹ This deadline applies to motions related to the admissibility of experts or expert testimony that may require a *Daubert* hearing, but otherwise does not apply to motions *in limine*. The Court will set a motions *in limine* deadline in a separate order.

applicable deadline. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date which ensures that the response to that request is due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the twenty-one (21) day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Civil Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.

A handwritten signature in black ink, reading "Kevin Sweazea". The signature is written in a cursive, flowing style.

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE